

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

JEAN DUNN,  
Plaintiff-Appellant.

v.

No. 98-2467

KENNETH S. APFEL, COMMISSIONER OF  
SOCIAL SECURITY,  
Defendant-Appellee.

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
Leonie M. Brinkema, District Judge.  
(CA-97-2007)

Submitted: April 30, 1999

Decided: August 16, 1999

Before MURNAGHAN, WILKINS, and NIEMEYER,  
Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

Stephen Domenic Scavuzzo, Vienna, Virginia, for Appellant. James A. Winn, Chief Counsel, Patricia M. Smith, Deputy Chief Counsel, Eric Kressman, Assistant Regional Counsel, Office of the General Counsel, SOCIAL SECURITY ADMINISTRATION, Philadelphia, Pennsylvania; Helen F. Fahey, United States Attorney, Leslie Bonner McClendon, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

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## OPINION

### PER CURIAM:

Jean Dunn appeals the district court's order upholding the denial by the Commissioner of Social Security of Dunn's application for social security disability insurance benefits and supplemental security income. We affirm.

Dunn was born in 1942, has a high school equivalency degree, and past work experience as the owner of a temporary employment firm. She alleged disability commencing in July 1993 due to pain resulting from an earlier operation. Three months after the alleged disability onset date, Dunn underwent an operation to correct the condition causing the pain. Post-surgical notes described excellent progress, Dunn herself stated in August 1994 that she was able to work full-time, she sought no medical treatment in 1995 or 1996 for pain, she engaged in a wide variety of daily activities, and she took only mild painkillers as needed.

Following an administrative hearing on her claim for benefits, the ALJ found that Dunn's pain was not as severe as claimed and that she was able to perform her past work. The Appeals Council affirmed the denial of benefits, and Dunn filed suit in the district court. The district court upheld the denial of benefits. Dunn appeals, claiming that the ALJ improperly discredited her complaint of disabling pain.

This court must determine whether the Commissioner's findings are supported by substantial evidence, see Richardson v. Perales, 402 U.S. 389, 401 (1971), and whether the correct law was applied, see Hays v. Sullivan, 907 F.2d 1453, 1456 (4th Cir. 1990). Substantial evidence is that evidence which a "reasonable mind might accept as adequate to support a conclusion." Perales, 402 U.S. at 401 (internal quotations omitted).

We have reviewed record, briefs, and pertinent case law and find no reversible error. Accordingly, we affirm on the reasoning of the district court. See Dunn v. Apfel, No. CA-97-2007-A (E.D. Va. Sept. 10, 1998).<sup>\*</sup> We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED

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<sup>\*</sup>Although the district court's judgment is marked as "filed" on September 3, 1998, the district court's records show that it was entered on the docket sheet on September 10, 1998. Pursuant to Rules 58 and 79(a) of the Federal Rules of Civil Procedure, it is the date that the judgment or order was entered on the docket sheet that we take as the effective date of the district court's decision. See Wilson v. Murray, 806 F.2d 1232, 1234-35 (4th Cir. 1986).